

**UNITED STATES DISTRICT COURT**

District of New Jersey

Chambers of  
**William H. Walls**  
District Judge

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Martin Luther King Jr.  
Federal Courthouse  
50 Walnut Street  
Newark, New Jersey 07102

October 5, 2010

Re: United States v. Edmonds; No. 03-258 (WHW)  
Motion for Leave to File Out of Time

Dear Arthur Edmonds:

The Court is in receipt of your August 11, 2010, Notice of Appeal and Motion for Leave to File Out of Time. As the government noted in its response, pursuant to Fed. R. App. P. 4(b), a defendant must normally file his notice of appeal within 14 days. (Gov. Letter-Br., at 2.) The Court may also extend time for filing due to a grace period of thirty days provided by Fed. R. App. P. 4(b)(4). Your filing on August 11, 2010, is clearly outside of either period of time for filing.

As you allege that the reason you failed to file your appeal and notice of appeal in a timely fashion was inadequate assistance of counsel, this matter is more appropriately brought under 28 U.S.C. § 2255.

It is on this 5th day of October, 2010:

ORDERED that Defendant Arthur Edmonds' Motion for Leave to File Out of Time is  
  
DENIED.

Sincerely,

**s/William H. Walls**

United States Senior District Judge

cc: All Counsel of Record (via ECF)